

REMARKS

This is in full and timely response to the non-final Official Action of September 25, 2007. Reexamination in light of the following remarks is respectfully requested. No new matter has been added.

Claims 1-5, 7-11, 13-15, 17, and 18 are currently pending in this application, with claims 1, 2, and 11 being independent.

I. Entry of Amendments

As a preliminary matter, Applicant would like to point out that the claims which have been examined are the original claims even though the claims have been amended under Article 34 twice. That is, the Article 34 amendments have not been considered.

However, after telephone interview with the Examiner, while not conceding the propriety of the treatment of the examined claims (the original claims) and in order to advance the prosecution of the above-identified application, Applicant agrees to the Examiner, that the Applicant provides with amendments to the original claims so as to reflect these Article 34 amendments.

Please note that claims 5 and 11 have been amended in addition to the Article 34 amendment, since we found that translation errors in the Appendix A and C.

Also, since it seems that the specification amended under Article 34 has not been considered, by the foregoing amendment, substitute specification which has been amended in the same manner as that of amendment made under Article 34, is attached hereto.

Applicant respectfully requests that the next office action be Non-Final office action in case the amended claims are not allowed, since claims after article 34 amendments should have been considered.

Also, it would be greatly appreciated that in the next Office Action the Examiner clarifies which amendment has been entered.

II. Allowable Subject Matter

Claims 2-5 and 7-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Appreciation is expressed for the indication that claims 2-5 and 7-18 contain allowable subject matter. Accordingly, claim 1 has been rewritten in independent form including all of the limitations of claim 2 to form dependent claim 1. Since claims 3 and 8 depend on claim 1, they are allowable for the reasons that claim 1 is allowable. Thus, allowance of claims 1, 3, and 8 are respectfully requested.

Please note that, by the foregoing amendments, claims 2, 4, 5, 7-11, 13-15, 17, and 18 have been amended to reflect the Article 34 amendments.

III. Rejection under 35 U.S.C. 102(b)

Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 03253234 A. Specifically the Office Action asserts that [t]he reference discloses a charger having a controller supplying current to the battery as the controller keeping the output voltage of the converter at a set point.

However, as mentioned above, claim 1 has been amended so as to incorporate the feature of claim 2 to form independent claim 1, and claim 6 has been canceled. Therefore, withdrawal of the rejection is respectfully requested.

IV. Request for examination of the claims 2, 4, 5, 7-11, 13-15, 17, and 18

As discussed above, claims 2, 4, 5, 7-11, 13-15, 17, and 18 have been amended so as to reflect the Article 34 amendments. Therefore, examination of those claims is respectfully requested.

V. Conclusion

In view of the following arguments, all the claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action. However, Applicant reserves the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicant expressly does not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SEM-0010 from which the undersigned is authorized to draw.

Dated: December 3, 2007

Respectfully submitted,

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